

SWORN TRANSLATION OF A DOCUMENT WRITTEN IN SPANISH, TO WHICH FOR IDENTIFICATION PURPOSES, THE SEAL OF THIS OFFICE IS AFFIXED

PRELIMINARY No. 914

MINISTRY OF NATIONAL DEFENSE – NATIONAL POLICE - GENERAL
HEADQUARTERS – ONE HUNDRED AND FORTY FOUR CRIMINAL PROCEEDING
MILITARY COURT -

Bogotá. D.C. Seventh (7th) Mayo Two Thousand and Eight (2008)

SUBJECT MATTER:

To the Office the preliminary proceedings of file No. 914 regarding Inquires to A PERSONNEL, for the alleged crime of BRIBERY to decide if a RESOLUTION FOR THE OPENING OF PROCEEDINGS IS TO BE ORDERED or instead Article 458 of the Military Criminal Statute Castrate applies.

FACTS:

They were known through the accusation submitted by Mr. YESID REMIGIO VARGAS-CUENCA, stating that he was arrested by DIJIN Officers on 19th August 2006 in his lodgings since he was notified of an arrest warrant against him with extradition purposes, being under custody in a maximum security prison in the municipality of Combita (Boyacá Department). That he is accused of having paid US\$28.000 dollars to National Police Officers on April 2006 to enable the transportation of 400 kilograms of cocaine. That if that is the case, the behavior of the alleged accused shall be investigated in accordance with the Country's criminal orderings.

COLLECTING EVIDENCE:

The claimant attaches a copy of the document through which he is indicted for illegal drugs trafficking, where alleged illegal behavior carried out by members of the National Police is mentioned and he allegedly bribed them jointly with the arrested


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person engaged in drug trafficking activities. Just that no police officer is mentioned in particular.

Proceedings for a LEGAL INSPECTION to procedures carried out by the Honorable Supreme Court of Justice against Lieutenant Colonel (R) YESID REMIGIO VARGAS-CUENCA were practiced, on the extradition requested by the United States of America government. There is not a heart of the matter pronouncement in file on the date of the inspection visit.

Declaration proceedings rendered by Mr. YESID REMIGIO VARGAS-CUENCA, in the maximum security prison of the Municipality of Cómbita (Boyacá Department), where he ratifies entirely the content of his accusation. After his description of what he believes to be irregular in the indictment issued against him constituting the support for the petition of his extradition, he considers according to law to denounce the facts in which he is allegedly giving money to members of the Institution in order to enable the sending of cocaine toward different destinations, inquire that should involve those accused of being his accomplices in the illicit activity so that they are also extradited. He asserts not to have any idea of which policemen are they talking about as the individuals accepting money from him to enable him the transportation of illicit substances.

The Official Letter issued by the Head of the Coordination Area and General Control from the DIJIN, reports that the arrest of Lieutenant Colonel (R) YESID REMIGIO VARGAS-CUENCA was requested through Diplomatic Note 2029 issued on 11th August 2006 since the arrest warrant was issued by the Distrital Court of the United States for the Southern District of New York, therefore the participation of the police officers was merely a legal assistance by expressed request the General Attorney's Office placing the arrested person under the care of the International Affairs Office of the aforestated Agency. The officers taking part in arresting the aforementioned Officer were commanded by Major ELIÉCER CAMACHO-JIMÉNEZ.


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